

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request	2. OMB control number b. <input type="checkbox"/> None a. _____ - _____
3. Type of information collection (<i>check one</i>) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested (<i>check one</i>) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
7. Title	
8. Agency form number(s) (<i>if applicable</i>)	
9. Keywords	
10. Abstract	
11. Affected public (<i>Mark primary with "P" and all others that apply with "x"</i>) a. <input type="checkbox"/> Individuals or households d. <input type="checkbox"/> Farms b. <input type="checkbox"/> Business or other for-profit e. <input type="checkbox"/> Federal Government c. <input type="checkbox"/> Not-for-profit institutions f. <input type="checkbox"/> State, Local or Tribal Government	12. Obligation to respond (<i>check one</i>) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden (<i>in thousands of dollars</i>) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection (<i>Mark primary with "P" and all others that apply with "X"</i>) a. <input type="checkbox"/> Application for benefits e. <input type="checkbox"/> Program planning or management b. <input type="checkbox"/> Program evaluation f. <input type="checkbox"/> Research c. <input type="checkbox"/> General purpose statistics g. <input type="checkbox"/> Regulatory or compliance d. <input type="checkbox"/> Audit	16. Frequency of recordkeeping or reporting (<i>check all that apply</i>) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission) Name: _____ Phone: _____

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

- (a) It is necessary for the proper performance of agency functions;
- (b) It avoids unnecessary duplication;
- (c) It reduces burden on small entities;
- (d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;
- (e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;
- (f) It indicates the retention period for recordkeeping requirements;
- (g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):
 - (i) Why the information is being collected;
 - (ii) Use of information;
 - (iii) Burden estimate;
 - (iv) Nature of response (voluntary, required for a benefit, mandatory);
 - (v) Nature and extent of confidentiality; and
 - (vi) Need to display currently valid OMB control number;
- (h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);
- (i) It uses effective and efficient statistical survey methodology; and
- (j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee

Date

Agency Certification (signature of Assistant Administrator or head of MB staff for L.O.s, or of the Director of a Program or Staff Office)	
Signature	Date
Signature of NOAA Clearance Officer	
Signature	Date

SUPPORTING STATEMENT TO OMB 83I
BLUEFIN TUNA DEALER REPORTS - OMB CONTROL NUMBER 0648-0239
Renewal of Collection

Section A. Justification

(1) This supporting statement is submitted as part of a Paperwork Reduction Act (PRA) request for renewal of the dealer reporting package for the Atlantic bluefin tuna fisheries. A few changes reflect modifications in the fishery regulations since the previous PRA request (as consolidated in the final rule to implement the Fishery Management Plan for Atlantic Tunas, Swordfish, and Sharks). The timing of biweekly reports is changed to provide consistency of reporting for all HMS. Also, the requirement for dealers to mail-in bluefin tuna landing report forms is dropped. Finally, reporting of trophy bluefin tuna by anglers in the recreational fishery is no longer included under this collection (transferred to 0648-0328).

The purpose of the collection of information contained in this Dealer Package is to comply with the United States' obligations under the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act, 16 U.S.C. 971 *et seq.*), the Atlantic Tunas Convention Act, (ATCA, 16 U.S.C. 1801 *et seq.*), the Fishery Management Plan for Atlantic Tunas, Swordfish, and Sharks (HMS FMP), and the HMS FMP implementing regulations at 50 CFR Part 635.

ATCA requires the Secretary of Commerce to promulgate regulations adopted by the International Commission for the Conservation of Atlantic Tunas (ICCAT). As a member nation of ICCAT, the United States is required to take part in the collection of biological statistics for research purposes. In addition to this requirement, the United States, as one of the three member nations fishing for bluefin tuna in the Western Atlantic Ocean, must abide by the specific quota assigned to it by ICCAT. Thus, collection of information through the forms in this Dealer Package serves three purposes of ICCAT: (1) it provides stock assessment and research information, (2) it monitors the catch so as not to exceed the country quota, (3) verify bluefin tuna import/export shipments in conjunction with the Bluefin Tuna Statistical Document (BSD) program. [Note that the BSD program applies to international trade in all bluefin tuna of the species Thunnus thynnus, regardless of the ocean area of catch. Thus, reports are required of both Atlantic and Pacific bluefin, although Pacific bluefin are not managed under ICCAT.]

The Atlantic bluefin tuna fishery is governed by quotas established by ICCAT. Each participating country, of which the United States is one, is allocated a quota which is quite restrictive. The bluefin tuna fishery is subject to a rebuilding schedule with the goal of recovering the western Atlantic population to Maximum Sustainable Yield (MSY) levels. The agency has distributed the quota among one recreational and five commercial user groups to ensure maintenance of optimum yield, as well as collection of scientific information. Besides quotas, other conservation measures include the closure of spawning areas such as the Gulf of Mexico, to any directed fishery.

In 1996, the United States Congress reauthorized the Magnuson-Stevens Act, the primary domestic legislation governing management of the nation's marine fisheries. The HMS FMP brought the management of Atlantic tunas under the authority of the Magnuson-Stevens Act as well. The Secretary of Commerce is authorized to manage HMS in the Atlantic, Gulf of Mexico and Caribbean Seas. By delegation, HMS are managed by the NMFS Office of Sustainable Fisheries (F/SF). One of the major responsibilities of F/SF is to allocate the limited bluefin quota assigned to the United States by ICCAT among numerous and competing user groups. As management falls under Magnuson-Stevens Act, (as well as ATCA), and the National Environmental Protection Act (NEPA), data and analyses on the socio-economics of the U.S. bluefin tuna fishery constitute an integral part of the basis for rulemaking and FMP amendments, particularly in determining Optimum Yield and in preparing the mandatory Regulatory Impact Review (RIR), Environmental Impact Statement (EIS), and other documentation. Thus, the Dealer Package also provides essential information for management of the bluefin tuna fishery in the United States, particularly in terms of total quota and allocation decisions, which follow the ICCAT Recommendation and the National Standards of the Magnuson-Stevens Act (e.g., regarding traditional fishing patterns and socio-economic impacts to various user groups).

The 1992 ICCAT recommendation required that all contracting parties implement a statistical document requirement for all imported bluefin tuna so that contracting parties could better account for the origin of bluefin tuna introduced into their markets. The Bluefin Tuna Statistical Document (BSD) was implemented by the United States in 1994 in order to monitor bluefin tuna imports into the United States. [The BSD program is authorized separately under OMB 0648-0040.] Also, the United States provides BSDs to be completed by U.S. dealers who export bluefin tuna to foreign countries to facilitate entry into those markets. Only Federally licensed dealers are authorized to import/export bluefin tuna into or from the United States. The Dealer Package submitted under this request plays an integral role in verifying import/export documents such as the BSD, by creating a paper trail (biweekly report with tag numbers) and identifying the importer or exporter.

Section 971 d(c)(3) of ATCA provides the statutory authority to require the collection of information necessary to implement the recommendations of ICCAT. Section 635.5(b) of the Atlantic Highly Migratory Species regulations governing the domestic bluefin tuna fishery require all permitted bluefin tuna dealers to submit the reports (daily fax of landing cards for Atlantic bluefin, Atlantic Biweekly & Pacific Biweekly reports, and tagging of individual fish) contained in this Dealer Package.

(2) The information collected by this Dealer Package is used by NMFS to monitor U.S. landings in relation to the quota, thereby ensuring that the United States complies with its international obligations to ICCAT. Other provisions of the domestic regulations are monitored through this collection of information, such as compliance with time/area closures, fishing seasons, subquotas by gear type and/or user group and the documentation of Atlantic and Pacific bluefin tuna imports and exports. This information collection provides landings data necessary to assess the status of the bluefin tuna resource. Assessments are conducted and presented to ICCAT annually. The

data provide the basis for ICCAT management recommendations that become binding on member nations. In addition, the information collected through the Dealer Package provides essential information for domestic management policy and rulemaking with respect to impacts on prices, ex-vessel revenues, and fishing communities.

The Dealer Package consists of two forms: the Daily Report or Landing Card, which is used for daily, real-time quota monitoring, and the Biweekly Report form, which is used to cross-check the Daily Report and to collect additional information related to the sale and disposition of the fish. In addition, uniquely numbered tail tags must be affixed to each bluefin tuna after which the tag numbers are recorded on all forms and shipping labels (tags optional for Pacific bluefin). Under regulation, only Atlantic bluefin measuring greater than 73 inches curved fork length (large, medium and giant) may be sold. Smaller-sized Atlantic fish may be caught (subject to a minimum size) by recreational fishermen, but not sold, and are monitored through the NMFS Large Pelagic Survey, the Automated Catch Reporting System, and/or state level tagging programs (currently implemented in Maryland and North Carolina). Pacific bluefin of any size may be sold and, as Pacific bluefin are not managed under a quota system, daily landing cards do not apply.

The following information is collected on the bluefin tuna Daily Report (Landing Card):

- a) Dealer name and permit number identify the dealer.
- b) The date the fish was landed is collected for research and for quota monitoring purposes.
- c) Gear type used to capture the tuna. This information is important for estimating catch per unit effort as part of stock assessment.
- d) The length and weight of the fish and the method of measurement (curved or straight, round or dressed) provide information necessary to assess the status of the resource. Length and weight data are used to determine the age of the fish and therefore, the population structure. Total weight data are used to monitor the quota which is specified in terms of metric tons.
- e) The tail tag numbers are used to identify the fish and to cross-reference this Daily report with the Biweekly report (and eventually the BSD, if the fish is exported).
- f) Area caught provides information on the timing and location of the migrating schools and aids enforcement of the regulations in the event that a particular area is closed.
- g) Port landed identifies the principle ports for the fishery which allows for planning of enforcement and monitoring resources, and provides more detail on location and migration of the schools. This information is also useful in setting domestic policies on time/area closures.

h) Fisherman and vessel names, permit number and signature. Permits are required for all vessels participating in the bluefin tuna fishery, and the harvester must be identified to monitor daily catch limits and to assess the relative activity of each user group.

The following information is collected on the bluefin tuna dealer bi-weekly forms:

a) Biweekly reporting period.

b) Dealer name and permit number identify the dealer.

c) The date the fish was landed or imported.

d) Vessel permit number.

e) The tail tag numbers are used to identify the fish and to cross-reference this Daily report with the Biweekly report (and eventually the BSD, if the fish is exported).

f) The weight of the fish and the processing condition (round or dressed) relative to price received.

g) Nature of the sale, dockside or consignment. The form allows dealers to report both consignment and dockside transactions and provides ample time for all prices to be reported (one week grace period in completing and sending in the form). The type of sale is requested as it is important to determine whether the fish was sold on consignment or at dockside. This information is useful for assessing relative importance of the Japanese and U.S. domestic markets.

i) Price per pound is an integral source of information on the economic contribution of the fishery and of individual user groups, important for NMFS' preparations of analyses (e.g., RIRs, EISs, and other documentation) that serve as the basis for rulemaking and FMP amendments.

j) Quality rating and condition is requested in order to better assess how regulations, as well as other factors, affect the price of the fish. For example, time/area closures may affect the price received for bluefin tuna, and the effect of these policies can only be assessed if quality ratings are available. The quality measures indicated on the form are precisely those used by dealers.

k) Destination of the fish. This information allows an assessment of the relative importance of the foreign market in the economic contribution of the fishery, which foreign countries in particular are a market for bluefin tuna, and how other variables (exchange rates, tariffs, transportation costs, etc.) can affect the market for bluefin tuna.

The Pacific biweekly dealer report covers only import and export of Pacific bluefin tuna, not domestic purchases from U.S. vessels that remain in the U.S. Individual fish price data are not collected because Pacific bluefin are not subject to the same level of domestic regulation (quotas, closures, user group allocation) and aggregate price data are available from other sources. Additional data elements on the Pacific version of the biweekly report form include:

- a) State and Landing Documentation Number is requested for Pacific dealers completing a Pacific Biweekly report in order to export shipments of Pacific bluefin tuna. The documentation number identifies the vessel landing the Pacific bluefin tuna, bound for export. The documentation number is required for reporting purposes on the ICCAT BSD.
- b) Condition (fresh/frozen) corresponds to the two possible item numbers listed on the harmonized tariff schedule.
- c) Bluefin Statistical Document number for cross-reference with the trade data received from Customs.

If this information collection were not conducted, the United States could not comply with international obligations under ICCAT, in violation of ATCA and the Magnuson-Stevens Act. The status of the resource would be indeterminable since approximately 55 percent of the western Atlantic catch is landed by U.S. fishermen and the conservation and management objectives of ATCA would be jeopardized. Furthermore, it would be impossible for the United States to formulate domestic policy consistent with the Magnuson-Stevens Act, and which is based on sound socio-economic and biological data and analyses. NMFS would be unable to prepare documents such as the RIR, EIS, etc., as required under the Magnuson-Stevens Act, NEPA, and other applicable laws.

(3) Bluefin tuna data collection requires timely and specific information from the dealers as they are the sole agents who are capable of monitoring every fish landed in this fishery. Prior to July 1, 1999, bluefin tuna dealers were required to fax copies of their Daily reports to the NERO for quota monitoring purposes, as well as mail them, within 24 hours of purchasing an bluefin tuna. In the past two years, NMFS has tested and implemented FAX/OCR technology for dealer reporting of bluefin tuna. The Daily report has been modified to be readable by the OCR system. Dealers fax in the form, which is read via OCR. Data fields are extracted and applied to Oracle data tables. Implementation of this capability has improved Atlantic bluefin tuna quota monitoring. Better quota monitoring keeps the fishery open for a longer period because the reduced lag time for data entry shortens the period over which catch must be projected. This provides better service to fishermen by avoiding premature closures and unscheduled reopenings. Prior to implementation of this capability, data from all Daily reports were entered manually. Eliminating manual data entry has eliminated about two man months worth of work for the HMS Management Division (F/SF1).

The public, i.e., dealers and fishermen, have also benefitted as now data can be reported back to them in a more timely manner. In addition, the FAX/OCR system has multiple phone line ports available 24 hours a day, thus reducing busy signals and the subsequent need to resubmit documents. The FAX/OCR system has allowed NMFS to eliminate the requirement for dealers to mail-in these Daily reports.

NMFS is currently investigating the feasibility of collecting data over the internet. A permitting and reporting system being developed under contract would, in its full implementation, allow for issuance of vessel and dealer permits over the internet. Once the permitting system is online, catch and landing reports could be submitted in a similar way.

(4) The agency is now collecting the minimum amount of information essential to monitoring the domestic quota for the bluefin tuna fishery. Coordination with existing programs is always explored to avoid unnecessary duplication of effort. No other collections require this information. All of the tuna dealers recognize that these report forms are used exclusively to monitor bluefin tuna catches.

For Atlantic bluefin tuna, Daily Reports must be faxed in every day in order to monitor quota adherence as precisely as possible. The Biweekly report requests additional market data (price, quality, destination) which are not available upon landing. Some duplication between the two forms is required (e.g., weight and tag number) in order to cross-check the Daily Reports and increase quota monitoring accuracy. The U.S. is bound by ATCA to abide by ICCAT recommendations and must make every effort possible to meet quota restrictions.

Atlantic and Pacific Biweekly reports are used to verify import/export bluefin tuna shipments that are registered on the BSD. The biweekly report creates a paper trail that links the BSD documented shipment with a U.S. dealer. The agency relies on this paper trail for exported fish when pursuing management and enforcement issues that relate to the BSD program.

(5) The Dealer Package does not have a significant impact on small businesses, organizations or government bodies.

Small businesses will be the respondents of this data collection of which the following methods will minimize burden:

- a. Daily report forms are provided free of charge in bound logbooks.
- b. Each Daily report form is easily removed for faxing.
- c. On both forms, the information requested is presented in a format that is compatible with the dealer/processor operation of landing, purchase, grading, and processing of bluefin tuna.

- d. Daily reports are printed on carbon copy forms so that the dealer automatically has an account of transactions for business records.

(6) Failure to accurately collect bluefin tuna landing data on a real-time basis or to collect BSD data in an expeditious manner could jeopardize the United States' ability to comply with ICCAT obligations. Given the relatively high degree of overcapitalization in this fishery, weekly landing reports could imply a significant quota overage in a fishing category. It is essential to have daily reporting of landings, followed up with bi-weekly confirmation of these reports, in order to follow ICCAT recommendations, as required by ATCA.

(7) The frequency in which data is collected in the Dealer Package is inconsistent with OMB guidelines that "do not require respondents to report information more often than quarterly." The agency recognizes that in order to accurately monitor the domestic quota allocation among a diverse group of users, bluefin tuna landing data must be collected on a real-time basis. Failure to maintain the current reporting frequency could jeopardize the agencies' ability to close segments of the fishery prior to exceeding a fishing category's allocation.

(8) See Federal Register Notice (64 FR 27517, May 20, 1999). No comments were received on the proposed collection.

HMS Management Division staff at the NMFS Northeast Regional Office maintain daily contact with the affected parties during the fishing season. On the basis of these conversations, the Agency has made changes in the format at various stages in the history of the bluefin tuna forms. In addition, the recent modifications to the Daily report form were discussed with several dealers as well as a number of fishermen. Most fishermen agreed that it was preferable, if possible, to automate the Daily report system. The following dealers were consulted:

Lori Svensson
Cape Quality Bluefin, Inc.
P.O. Box 1128
South Dennis, MA 02660
(508) 398-4551

Mark Godfried
Fresh Water Fisheries
Gloucester, MA 01930
(888) FWF-TUNA

Robert Fitzpatrick
Maguro America
S. Chatham, MA 02659
(508) 432-8812

These dealers were in favor of an automated system for the daily landing cards and were particularly supportive of dropping the mail-in requirement.

(9) The agency does not provide gifts or payment to respondents involved in bluefin tuna dealer reporting.

(10) There is a Paperwork Reduction Act Notice printed on the front cover of the Daily Report logbook and on the Biweekly Report forms. It is Agency policy not to release confidential data, other than in aggregate form, as the Magnuson-Stevens Act protects (in perpetuity) the confidentiality of those submitting data. Whenever data are requested, the Agency ensures that information identifying the pecuniary business activity of a particular dealer is not identified.

(11) No questions of a sensitive nature are requested in this collection of information.

(12) Based on 464 permits issued for 1998, the estimated number of Atlantic bluefin dealers is 465 per year. The number of responses per dealer depends on how many fish the dealer will purchase, which in turn depends upon total landings. Since the fishery is managed by a quota, the maximum number of responses can be estimated. The total number of Atlantic bluefin tuna sold to dealers in 1998 was 5,576 fish. The actual number of fish landed depends not only on the total quota but also on the average size of the fish since the quota is based on tonnage. Thus, assuming the total quota and average size remain close to 1998 levels, 5,580 fish would be landed and, on average, each of the 465 dealers would complete 12 Daily Reports by fax.

In addition to domestic purchases, imports must be listed on the Atlantic biweekly form. Thus, the total number of fish entered on the 390 Atlantic biweekly reports submitted in 1998 was 6,064, including the 5,576 domestic landings and 488 imported fish. The average Atlantic bluefin dealer would submit 1 Biweekly Report per year, though the actual range is from 0 to about 10 reports, depending on the level of activity of the dealer. For the estimated 465 dealers, this would amount to an estimated 465 Atlantic biweeklies per year.

Based on 33 annual permits issued in 1998, the estimated number of Pacific Dealers is 35. No landing cards are required for Pacific bluefin because that fishery is not managed by quota. The number of biweekly responses per dealer depends on how many Pacific bluefin tuna import or export shipments the dealer will make. Based on 33 biweeklies received in 1998 from Pacific dealers, the total number of Pacific bluefin tuna shipments is estimated to be 35 per year. Thus, the average dealer would import and/or export 1 shipment, and would submit 1 Biweekly Report per year.

The response time for the forms is estimated at 2 minutes per response for the Daily Report, 15 minutes for the Atlantic Biweekly report, and 43 minutes for the Pacific Biweekly report, as explained in Attachment 1. The response time for the Pacific Biweekly is higher because numerous fish from several vessels may be consolidated for a single export shipment. Atlantic bluefin, being much larger fish on average, tend to be handled as shipments of individual fish, with

the information on each fish transcribed to the biweekly form from the daily landing card. Thus, there are usually more fish listed on an individual Pacific Biweekly Report (average of 43 entries/report including domestic purchases for export and imports) than on an Atlantic Biweekly Report (average of 15 entries/report including domestic purchases and imports).

It is estimated that dealers require one minute to affix a tail tag to the carcass of a bluefin tuna, record the number on the Daily or Biweekly report (as appropriate), and label the tail tag number on the shipment container if the bluefin tuna is cut into portions and transported for the domestic market or exported from the United States. Note that imported bluefin are not required to be tagged by U.S. dealers (though they may already be tagged by foreign exporters). Excluding the entries on the 1998 Biweekly Reports associated with imports, the annual total number of fish to be tagged is estimated at 5,576 Atlantic bluefin and 490 Pacific bluefin.

Atlantic bluefin tuna dealers purchased 5,576 bluefin tuna in 1998. Since the average Atlantic bluefin dealer would tag approximately 12 bluefin tuna, the average time per response to tag and record these bluefin tuna is 12 minutes per dealer per season. Pacific bluefin tuna dealers exported 33 shipments of Pacific bluefin tuna in 1998, with a total of 490 fish purchased for export. For the most part, Pacific bluefin are smaller and shipped in bulk rather than individual carcasses. Therefore, tail tags are optional and most of the Pacific bluefin exporters do not tag individual fish. However, the burden if all fish (domestic purchases for export) were tagged would amount to 1.5 hours.

(13) The estimated total annual burden for dealer reporting (for bluefin tuna) is 405.5 hours. All forms are provided, and pre-addressed. All postage costs will be paid by the respondents. Because Daily reports no longer need to be mailed-in, the estimate of total cost of postage (assumed average cost of \$0.50) for approximately 423 Biweekly reports (assuming a similar number of responses to that in 1998) would be \$211.50. The requirement to fax Daily reports has not changed in the past several years; at approximately \$0.15 report, total annual costs for Atlantic bluefin tuna dealers is approximately \$69.60.

(14) Federal printing costs are assumed to be the same as in 1998. Agency cost for printing 464 logbooks for Atlantic bluefin tuna dealers, at a cost of \$5.06 each, is \$2348. NMFS creates and copies the Biweekly reports for the approximately 500 Atlantic and Pacific bluefin tuna dealers, at a cost of \$0.05 per report. Dealers are responsible for making copies themselves. Therefore, agency cost for Biweekly reports is \$25.

(15) Program changes. Effective July 1, 1999, new regulations eliminated the mail-in requirement for Daily reports, and the biweekly reporting periods were changed to the first day to the 15th of each month and the 16th day to the last day of the month (coincides with the biweekly period for the large pelagics dealer report 0648-0013). These changes have resulted in a reduction in the average response for the Daily Report from 2.5 minutes to 2 minutes per landing card. Additionally, a 1 hour change is attributable to the transfer of angler reporting of recreational catch of giant bluefin (trophy fish that are not sold to dealers) to the automated telephone

reporting system (0648-0328). The average response times for the Atlantic and Pacific Biweekly Reports were recalculated based on actual reports received in 1998, including entries for domestic purchases and imports of bluefin tuna.

(16) Information collected from the Dealer Package will be published in EAs, EISs, and RIRs. The data will be presented in aggregate form, that will not lead to the identification of individual dealers. In some cases, aggregate data as summarized in published reports will be posted on various internet sites maintained by NMFS or by contractors. Interim updates on bluefin landings and/or prices may also be posted on web sites, though always in aggregate form.

(17) N/A

(18) No exceptions are requested.

Section B. Collections Employing Statistical Methods

This collection of information will not employ statistical methods.

List of Attachments

1. Burden Calculation
2. Reporting Forms and Instructions
3. Applicable Regulations at 50 CFR part 635

Attachment 1

Bluefin Dealer Reporting - Estimate of Public Burden Hours

Report Forms	# of Respondents	Avg # of Resp. per Respondent	Total # of Responses	Average Response time	Total Annual Response Time in hours
Atlantic Daily Report	465	12	5580	0.033*	184
Atlantic Biweekly Report	465	1	465	0.26**	121
Pacific Biweekly Report	35	1	35	0.72***	25

Tail Tags	# of Respondents	Responses per Respondent	Total Responses Expected	Hours per Response ¹	Total Annual Response Time in Hours
Atlantic Affix, Label & Record	465	12	5580	.017	95
Pacific Affix, Label & Record	35	14	490	.017	8

Annual burden for bluefin dealer reporting: $184 + 121 + 25 + 95 + 8 = 433$ hours

Annual responses: $5580 + 465 + 35 + 5580 + 490 = 12,150$

* The average time per response has been reduced from 2.5 minutes (0.04 hours) to 2 minutes (0.033 hours) since the mail-in requirement has been dropped.

** The average time per response for the Atlantic Biweekly report has been re-calculated on the following basis: In 1998, NMFS received 390 Atlantic Biweekly reports with a total of 6,064 entries (including imports and domestic purchases), for an average of 15.5 entries per Biweekly report. We assume that each entry on the Atlantic Biweekly report takes approximately one minute (0.17 hours). Therefore, each Atlantic Biweekly is filled out in approximately 15.5 minutes (0.26 hours).

*** The average time per response for the Pacific Biweekly report has been re-calculated on the following basis: In 1998, we received 33 Pacific Biweekly reports with a total of 1431 entries (including imports and domestic purchases for export), for an average of 43.4 entries per Biweekly report. We assume that each entry takes the same amount of time as an entry on the Atlantic Biweekly report (one minute, or 0.17 hours). Therefore, each Biweekly takes approximately 43.4 minutes (0.72 hours).

¹ The time per response for Atlantic and Pacific dealers to affix a tail tag, label containers, and record tail tag numbers on Daily reports is estimated at one minute (0.17 hours) per tail tag. Tail tags are affixed to domestic fish only, not imports, so only domestic purchases appear in the lower table.

Attachment 2

Reporting Forms and Instructions

NOAA 88-144

OMB 0648-0239
(Expires xx/xx/2002)



DOC/NOAA/NMFS
Highly Migratory Species
One Blackburn Drive
Gloucester, MA 01930-2298

DEALER PERMIT NUMBER: _____

DEALER REPORT FORM FOR LARGE MEDIUM AND GIANT ATLANTIC BLUEFIN TUNA

Pursuant to 16 U.S.C. 971, 16 U.S.C. 1801, and 50 CFR Part 635

Under the provisions of the Paperwork Reduction Act of 1995 (PL 104-13) and the Privacy Act of 1974 (PL 93-579), you are advised that disclosure requested in this logbook is mandatory for the purpose of managing the Atlantic bluefin tuna fishery. The data is used to monitor landings and reporting burden for the collection of information is estimated to average 3 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, tagging the fish, and completing and submitting the information. Confidentiality of the information is treated in accordance with NOAA Administrative Order 216-100. It is the policy of the National Marine Fisheries Service not to release confidential information in aggregate form, as the Magnuson Act protects (in perpetuity) the confidentiality of those submitting data. Whenever data are requested, the information identifying the pecuniary business activity of a particular dealer is not identified. Because you have been provided with a current number for a collection of information subject to the requirements of the Paperwork Reduction Act you are required to respond to, or be subject to, this collection of information. Send comments regarding this burden estimate or suggestions for reducing this burden to: NMFS Division, 1 Blackburn Drive, Gloucester, MA 01930-2298.



INTRODUCTION

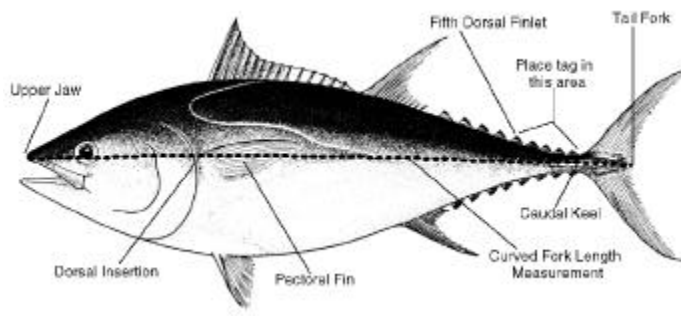
The Atlantic Tunas Convention Act of 1975 provides authority to the Secretary of Commerce to enact regulations which implement recommendations made by the International Commission for the Conservation of Atlantic Tunas (ICCAT). The Secretary has delegated this authority to the Assistant Administrator of the National Marine Fisheries Service (NMFS).

Present regulations (50 CFR Part 635) require any person purchasing or receiving Atlantic bluefin tuna for a commercial purpose to obtain a dealer permit. This permit is obtained by filling out an application provided by the NMFS, One Blackburn Dr., Gloucester, Massachusetts 01930-2298. Once a permit is issued it must be kept at the place of business and be available for inspection at all times. This permit needs to be renewed annually. It continues in effect for that calendar year unless otherwise revoked or terminated by the Regional Director, or upon any changes or alterations of company ownership, name or place of business. When any changes such as these occur the owner should notify the NMFS immediately and complete a new application. Should a permit be misplaced, the owner should notify the NMFS and a duplicate will be prepared and mailed. (It is not necessary to complete a new application). The logbook which you have been issued is necessary in order to obtain catch information from the vessel whose fish you are buying or receiving. Both the permit and the logbook as well as your premises are subject to inspection by an authorized official.

Permits issued under Subpart A, 50 CFR, Part 635, Atlantic Tunas, can be suspended for non-compliance with the regulations. Also, civil penalties are provided for violations of the regulations in accordance with NOAA Civil Administrative Penalty Schedule, as amended, May 30, 1997. For a copy of the regulations or the Penalty Schedule please contact the NMFS, Highly Migratory Species Division (HMS) at One Blackburn Dr., Gloucester, Massachusetts 01930-2298 or call (978) 281-9140.

INSTRUCTIONS

1. You are required to complete a LARGE MEDIUM-GIANT ATLANTIC BLUEFIN TUNA LANDING REPORT form contained in this logbook each time you purchase or receive a large medium or giant Atlantic bluefin tuna. The *original* top, white copy of the completed form should be faxed immediately to **(978) 281-9393**.
2. Your dealer number is the number on the cover of this logbook. Please be sure to write it on every form (both the Atlantic bluefin tuna landing report and the Bi-weekly summary Report).
3. If more than one fish is purchased by you in a day, you need a complete form for each fish.
4. The gear used in catching each large medium or giant tuna must be specified as one of the following: Handline, Harpoon, Rod and Reel, Longline, Purse Seine, and Other (check only one). If checking Other, write in the specific gear type on the form.
5. Total curved fork length is the sole criterion for determining the size class of whole (head on) Atlantic bluefin tuna. Total curved fork length is a measurement taken in line tracing the contour of the body of the tuna from the tip of the upper jaw to the fork of the tail, which abuts the dorsal side of the pectoral fin and the dorsal side of the caudal keel. For any Atlantic bluefin tuna with the head removed, it is determined that the tuna, when caught, fell into a size class in accordance with the following formula: Total curved fork length equals pectoral fin curved fork length multiplied by a factor of 1.35. The pectoral fin curved fork length multiplied by 1.35 will be the sole criterion for determining the size class of a beheaded Atlantic bluefin tuna. For this purpose, all measurements must be taken in a line tracing the contour of the body from the dorsal side of the pectoral fin to the fork of the tail, which abuts the dorsal side of the caudal keel. The dotted line shows the curved measure.



6. Write in exact round or dressed weight whenever possible. If estimating weight, please indicate by putting "est" next to the weight.
7. Every large medium or giant tuna must be tagged in the narrow part of the body between the fifth dorsal finlet and the caudal keel with one of the metal or plastic tail tags provided for that purpose. It is unlawful for a person to be in possession of and to buy or sell Atlantic bluefin tuna 73 inches or more in length which does not have this tag affixed to it per these instructions.
8. In completing "area where caught", check the box corresponding to the number of the area where the fish was caught (see following maps).
9. You are required to inspect the vessel's Atlantic tunas permit and write the vessel's permit number on the form, as well as the vessel's name. The vessel's master or owner must also sign and date the bottom of the form.
10. Additional logbooks or tags may be obtained by contacting the NMFS/HMS, One Blackburn Dr., Gloucester, Massachusetts 01930-2298; or by calling (978) 281-9140.

ADDITIONAL REPORTING REQUIREMENTS

In addition to the individual reporting forms for each large medium or giant tuna purchased or received, you are required to maintain, on a bi-weekly basis, a summary report for each two (2) weeks during the season for all Atlantic bluefin tuna you purchase or receive or import. Bi-weekly Reports *MUST* be *postmarked* and mailed *within 10 days* to NMFS/HMS after each 2-week reporting period in which bluefin tuna were purchased, received or *imported*. NO faxes accepted. **NOTE:** Ensure that the price per pound provided matches the correct form of the fish (either dressed or whole).

Dealers **exporting** bluefin tuna *MUST* attach an *original* United States Bluefin Statistical Document (BSD), from the unique numbered series issued to the exporting dealer, to the shipment on route to its final destination. *Copies* of the BSDs accompanying the shipments must be *postmarked* and mailed OR faxed by the dealer to NMFS/HMS within *24 hours of export*. Fax number: (978) 281-9340.

NOTE: If the dealer who first bought the fish does not export it, but transfers it to another dealer, then:

(A) The dealer who first bought the fish must: (1) Submit a Landing Form from the logbook as normal, (2) Contact the last dealer handling the fish and determine whether the fish was sold domestically or exported, and the price per pound for either dressed or whole weight and, (3) Submit a Bi-weekly Report indicating whether the fish was sold domestically or exported.

(B) The last dealer, who finally exports the fish, must complete *one of their own assigned BSDs*, and submit a copy to HMS within *24 hours of export*. (If not exported, no BSD is used). No Bi-weekly Report from this last dealer should be submitted.

Dealers **re-exporting** bluefin tuna *MUST* attach the original BSD from the foreign country with the shipment on route to its final destination. *Copies* of BSDs attached to the shipments must be *postmarked* and mailed OR faxed to NMFS/HMS within *24 hours of re-export*. Fax number: (978) 281-9340.

Dealers **importing** bluefin tuna, *and* the U.S. is the final destination, must *postmark* and mail the *original* BSDs from the foreign country to HMS within *24 hours of import*.

Large Medium & Giant Bluefin Tuna Landing Report

Complete this report form as soon as you or your agent purchase or receive a large medium or giant bluefin tuna. Fax and mail the completed white form within 24 hours of purchasing or receiving the large medium or giant bluefin tuna.

Dealer No. Dealer Name _____

Date Landed / /
M M D D Y Y

Gear Used (check one)

☐ Handline ☐ Harpoon ☐ Rod & Reel ☐ Longline
☐ Purse Seine ☐ Other _____

Fork Length (IN.) ☐ Curved or ☐ Straight
☐ Snout or ☐ Fin

Exact Weight (lbs.) Round and/or Dressed

Identification Tag No. BT90

Area Where Caught
1 2 3 4 5 6 7 8 9 10

Port Where Landed

CITY ST

Federal Fisheries Permit No.

Vessel Name (Print) _____

Name of Vessel's Master (Print) _____

Signature _____

Date of Signature _____

Certification: I certify that the information provided by me on this form is true, complete, and correct to the best of my knowledge, and made in good faith.

FALSE STATEMENT ON THIS FORM IS PUNISHABLE BY LAW.

BI-WEEKLY ATLANTIC BLUEFIN TUNA DEALER REPORT INSTRUCTION SHEET

Dear Bluefin Tuna Dealer:

Pursuant to regulations governing recordkeeping and reporting for the Atlantic bluefin tuna (BFT) fishery [50 CFR §635.5 (b)(2)] Atlantic bluefin tuna dealers are required to submit bi-weekly* reports to the Regional Director on forms supplied by the National Marine Fisheries Service (NMFS). Bi-weekly reports must be postmarked and mailed, at the dealer's expense, within 10 days after the end of each 2-week reporting period in which BFT were purchased, received or imported.

Please use this instruction sheet as a guideline to complete the bi-weekly report by entering the requested data in the appropriate column for each case in which BFT are purchased, received or imported.

(1) Two Week Reporting Period: Indicate the two week period of the month for which you are reporting purchase, receipt or import of BFT. The biweekly reporting periods are defined as the first day through the 15th day of each month and the 16th day through the last day of the month.

(2) Dealer: Indicate the name of the dealer reporting purchase, receipt or import of BFT.

(3) Permit Number: Indicate the dealer's permit number issued by NMFS.

(4) Person Filling Out Report: Indicate the name of the individual completing the bi-weekly report.

(5) Date of Landing: Indicate the date the BFT was landed.

(6) Atlantic Tunas Vessel Permit Number: Indicate the NMFS Atlantic tunas vessel permit number of the vessel that landed the BFT.

(7) Tail Tag Number: Indicate the serial number of the plastic tail tag that was affixed to the BFT carcass.

(8) Weight: Indicate the weight, in pounds, of the BFT according to the form, either **Round** or **Dressed**, in which the carcass was purchased. NOTE: Enter the weight of one BFT in one sub-column, only.

(9) Nature of Sale: Indicate whether the sale was **Consignment** or **Dockside**. NOTE: Choose one, only.

(10) Price Per Pound: Indicate the price per pound in the appropriate sub-column according to the form, either **Round** or **Dressed**, in which the BFT was purchased. (The price per pound should reflect the balance paid to the fisherman) NOTE: Enter the price per pound of the one BFT in one sub-column, only.

(11) Quality Rating:** BFT should receive grade from dealers according to four quality factors that include: Freshness, Fat Content, Color, and Shape of the BFT. Dealers should assign a grade of A, high quality; B, above average quality; or C, average quality to rate each of the four quality factors.

(12) Destination of Fish: Indicate the destination of the BFT by assigning a **U** to shipments bound for the United States domestic market, or an **X** to designate shipments exported from the United States.

(13) Page Number: Indicate the number of pages, if more than one bi-weekly report is used to record BFT purchased, received or imported during a two week reporting period. The page number and total pages should be noted, in sequence, at the bottom of the bi-weekly report.

Completed bi-weekly reporting forms should be mailed to the following address:
DOC/NOAA/NMFS, HMS Division, One Blackburn Drive, Gloucester, MA 01930-2298.

* Copies of each bi-weekly report should be maintained, by the dealer, for a period of two years from the date on which each report was required to be submitted to the Regional Director.

** Quality rating is subjective and will vary from dealer to dealer. Though quality rating is optional, dealers are encouraged to complete these columns as price and quality information may be used by NMFS in assessing the impacts of management regulations.

BI-WEEKLY ATLANTIC BLUEFIN TUNA DEALER REPORT

Check One

This report is for the two-week period from the 1st to the 15th of the month: ☐

Or, this report is for the two-week period from the 16th to the end of the month. ☐

All bi-weekly reports must be postmarked within 10 days of the end of this period.

Dealer _____ Permit Number _____ Person Filling Out Report _____

Date of Landing or Import Month/Day/Year	Vessel Atlantic Tunas Permit #	Plastic Tail Tag #	Weight (Pounds) (Enter only the weight used to determine price)		Nature of Sale: D=dockside, C=consignment	Price per Pound (Enter in only one column)		Quality Rating (Enter A, B or C grade for each quality factor)				Destination of Fish: U = U.S. market, I = Import X = Export RE = Re-Export
			Round	Dressed		Round	Dressed	Freshness	Fat	Color	Shape	U, X, I or RE

ALL PRICES MUST BE ENTERED. PLEASE USE ADDITIONAL SHEETS FOR ADDITIONAL SALES.

Under the provisions of the Paperwork Reduction Act of 1995 (PL 104-13) and the Privacy Act of 1974 (PL 93-579), you are advised that disclosure of the information requested in the dealer report form logbook is mandatory for the purpose of managing the bluefin tuna fishery. The data is used to monitor landings of Atlantic bluefin tuna. Reporting burden for the collection of information is estimated to average 15.5 minutes per completed form, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information. Confidentiality of the information provided will be treated in accordance with NOAA Administrative Order 216-100. It is the policy of the National Marine Fisheries Service not to release confidential data, other than in aggregate form, as the Magnuson Act protects (in perpetuity) the confidentiality of those submitting data. Whenever data are requested, the NMFS ensures that information identifying the pecuniary business activity of a particular dealer is not identified. Because you have been provided with a currently valid OMB control number for a collection of information subject to the requirements of the Paperwork Reduction Act you are required to respond to, or be subject to penalty for failing to comply with, this collection of information. Send comments regarding this burden estimate or suggestions for reducing this burden to: NMFS, Highly Migratory Species Division, 1 Blackburn Drive, Gloucester, MA 01930-2298.

BI-WEEKLY PACIFIC BLUEFIN TUNA DEALER REPORT INSTRUCTION SHEET

Pursuant to regulations governing dealer recordkeeping and reporting for the Pacific bluefin tuna (PBT) fishery (50 CFR Parts 300 and 635), bluefin tuna dealers are required to submit bi-weekly* reports to the Regional Director on forms supplied by the National Marine Fisheries Service (NMFS). Bi-weekly reports must be postmarked and mailed within 10 days after the end of each two-week reporting period in which Pacific bluefin were imported or exported.

Please use this instruction sheet as a guideline to complete the bi-weekly report by entering the requested data in the appropriate column for each case in which Pacific bluefin were imported or exported.

- (1) **Two-week Reporting Period:** Indicate the two-week period for which you are reporting import or export of PBT. The first bi-weekly reporting period begins at 0001 hours on the first day of the month and continues through 2400 hours on the 15th day of the month. The second bi-weekly report begins at 0001 hours on the 16th day of the month and continues through 2400 hours on the last day of the month.
- (2) **Dealer:** Indicate the name of the dealer reporting import or export of PBT.
- (3) **Permit Number:** Indicate the dealer's permit number issued by NMFS.
- (4) **Person Filling Out Report:** Print or type the name of the individual who completes the bi-weekly report.
- (5) **Date of Landing:** Indicate the date the PBT was imported/exported.
- (6) **Tail Tag Number:** Indicate the serial number of the tail tag that is affixed to the PBT carcass, if appropriate.
- (7) **Bluefin Statistical Document Number:** Indicate the document number of the BSD that accompanied the fish when it was imported/exported.
- (8) **Condition:** Enter "Fresh" or "Frozen."
- (9) **Weight:** Indicate the weight, in kilos, of the PBT according to the form, either Round or Dressed, in which the carcass is purchased. NOTE: If the fish is tagged, enter the weight of only one PBT per row, using the appropriate sub-column.
- (10) **State and State Landing Document Number:** Enter state and state landing document number for PBT that are being exported.
- (11) **Destination:** Enter City and Country of final destination of PBT.
- (12) **Page Number:** Indicate the number of pages, if more than one form is used to complete a bi-weekly report. The page number and total pages should be noted, in sequence, at the bottom of the form.

* Copies of each bi-weekly report should be maintained, by the dealer, for a period of two years from the date on which each report is submitted to the Regional Director.

Mail completed forms to: SW Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802.
Questions concerning the form may be directed to: SW Region, NMFS, (562) 980-4033; FAX (562) 980-4047.

BI-WEEKLY PACIFIC BLUEFIN TUNA DEALER REPORT

Check One

This report is for the two-week period from the 1st to the 15th of the month: _____
 Or, this report is for the two-week period from the 16th to the end of the month.

☐
☐

All bi-weekly reports must be postmarked within 10 days of the end of this period.

Dealer _____ Permit Number _____ Person Filling Out Report _____

Date of Landing Month/Day/Year	Tail Tag Number	Bluefin Statistical Document Number	Condition (Fresh/Frozen)	Weight (Kilos)		<u>State and State Landing Document Number</u>	<u>Final Destination</u>
				Round	Dressed		

PLEASE USE ADDITIONAL SHEETS FOR ADDITIONAL TRANSACTIONS.

Under the provisions of the Paperwork Reduction Act of 1995 (PL 104-13) and the Privacy Act of 1974 (PL 93-579), you are advised that disclosure of the information requested in the dealer report form logbook is mandatory for the purpose of managing the bluefin tuna fishery. Reporting burden for the collection of information is estimated to average 43 minutes per completed form, including time for reviewing instructions, searching existing data sources, gathering and maintaining data needed, and completing and reviewing the information. Confidentiality of the information provided will be treated in accordance with NOAA Administrative Order 216-100. It is the policy of the National Marine Fisheries Service not to release confidential data, other than in aggregate form, as the Magnuson Act protects (in perpetuity) the confidentiality of those submitting data. Whenever data are requested, the NMFS ensures that information identifying the pecuniary business activity of a particular dealer is not identified. Because you have been provided with a currently valid OMB control number for a collection of information subject to the requirements of the Paperwork Reduction Act you are required to respond to, or be subject to penalty for failing to comply with, this collection of information. Send comments regarding this burden estimate or suggestions for reducing this burden to: SW Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802.

Attachment 3

Applicable Regulations at 50 CFR part 635